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PART IV

Private Advertisements and Miscellaneous Notifications

COCHIN PORT TRUST

Willingdon Island Cochin-682 009

NOTIFICATION

No. DC/Licensing of Jetties/2013. 11th March 2014.

The following regulations made by the Board of Trustees of Cochin Port in exercise of the powers conferred by sub section n (n) of section 123 of the Major Port Trust Act, 1963 (No. 38 of 1963) are hereby published for the information of the public, the same having been published by the Board for two weeks successively in the official Gazette and approved by the Central Government as required by section 124 thereof. Further to amend the Cochin Port Trust (Licensing of Jetties, Slipway and Boat pen) Regulations, 1968 namely:—

1. Short title, application and commencement :

(i) These regulations may be called the Cochin Port Trust (Licensing of Jetties, Piers and Slipways)

Amendment Regulations 2013.

(ii) They shall apply to all jetties Piers and slipways situated within the Port limits notified vide Notification No. G.S.R.376 (E) dtd. 21-6-2006 and as amended.

(iii) They shall be deemed to have come into force with effect from the date of publication in the official Gazette.

2. License and Inspection fees :

The fees for the issue of licenses and inspection shall be:

(1) For those owners of valloms/boats who want to use their waterfront for tying up their own valloms/boats and the jetties owned by of Government Organizations like State Water Transport Department (SWTD), Kerala Shipping Inland Navigation Corporation Ltd. (KSINC), Tourism Promotion Council (DTPC), Integrated Fisheries Project (IFP), Matsyafed, Central

Institute of Fisheries (Technology) Nautical and Engineering Trading (CIFNET), and Corporation of Kochi.

- (i) Jetties and Piers— ` 1,297 per jetty per annum
- (ii) Inspection fees— ` 546 each jetty per annum
- (iii) Additional fees for late payment of license fee— ` 20 for jetty/pier per month.

Note:— (i) The above rates are exclusive of service tax and applicable at the prevailing rate.

(ii) For new concrete/temporary jetties lease rent may be collected taking into account in the bed of back waters in addition to licence fees.

(iii) The jetties owned by the Irrigation Department, Govt. of Kerala is exempted from payment of licence and inspection fee.

(iv) The jetties owned by Mulavukad Panchayath, Ernakulam is exempted from payment of licence and inspection fee.

(2) For others who rent out their existing waterfront jetties for tying up valloms and boats belonging to other owners.

Jetties/Piers/Slipways— ` 1,00,000 lakh per jetty/ slipway per annum.

(3) For others other than mentioned in (1) & (2) above:—

- (i) Existing Concrete Jetties : ` 1,00,000 per and Slipways of Ship unit per annum repairing facilities
- (ii) New Concrete Jetties : do.
- (iii) New Concrete jetties and slipways of Ship repairing facilities
- (iv) Existing jetties of Hotels, : do. Apartment and Housing Complexes
- (v) New jetties of Hotels, : do. Apartments and Housing complexes

Note:— (i) The rates for (2) & (3) above are inclusive of inspection fees.

(ii) The above rates are exclusive of service tax and applicable at the prevailing rate.

(iii) Annual escalation @ 5% on existing rate will be applicable.

(iv) For new concrete/temporary jetties lease rent may be collected taking into account in the bed of back waters in addition to licence

fees.

Definition of 'Vallom':—Vallom is the small boat made up of wood/FRP without mechanised engine and is operated by hand Oar.

3. Payment of fees and application for licence :

The licence fee shall be payable in advance to the Financial Adviser & Chief Accounts Officer, Cochin Port Trust and the receipt for the same shall be produced to the Deputy Conservator, Cochin Port Trust along with the application for the licence, stating therein:

- (a) Stating the vallom/boat's owner's name and address.
- (b) Situation, Survey No. and other description etc.
- (c) Any other relevant information.

4. Period of Construction of Jetties/Piers:

The construction of jetty/pier shall be completed within six months from the date of issue of licence to the entire satisfaction of the Deputy Conservator, Cochin Port Trust.

5. Maintenance of Jetties/Piers and Slipways etc. :

The jetty, boat shed and slipways, as the case may be shall be maintained by the licensee in good and substantial repairs to the satisfaction of Deputy Conservator, Cochin Port Trust and it shall not be extended or altered in any way without the previous sanction of the Chairman, Cochin Port Trust. The licensee shall be responsible for the safety of all its users.

6. Removal of Jetties, Slipways etc. :

When so required by the Deputy Conservator, Cochin Port Trust, the licensee shall remove the jetty, slipway and piers as the case may be at his own cost and without any compensation whatsoever, within three months after receiving notice in writing and shall not erect any other structure on any part of such foreshore without previous sanction from the competent authority.

7. Cancellation of licence of taking control of jetties, slipways etc. by the Port:

In the event of delay or default in such erection and completion or any breach of any of the above terms, the Cochin Port Trust may cancel the licence and assume control of or otherwise dispose of all or any part of the jetty, slipways or piers as the case may be and/or remove and dispose of any other structures or other improvements affected on the said site that may have been constructed as well as the site thereof, at the expense of the person concerned and the licensee shall have no right in the land in consequence of erection made thereon. It shall be open to the Dy. Conservator to appropriate or set off the cost of removal or other damage the Port may sustain due to the licence's default out of the sale proceeds of the things removed or disposed of in

the manner herein before provided. The licence granted, unless otherwise cancelled, shall remain in force for a period of one year.

8. Avoidance of obstruction to Navigation:

The licensee shall not encroach into the water front beyond the perpendicular length of 20 meters in the Mattancherry Channel and 5 meters in all other areas, in any case he shall not at any time cause any obstruction to the normal flow of the water traffic and Navigation.

9. Security of the Jetty:

The licensee shall be responsible for the security of the jetty. He shall maintain a log book which will show the registry number of boats, the name and identity of all the crew of various boats tie up at the jetty. This book shall be produced for inspection upon demand by Port and Government Authority. He shall keep a tab on all users of the jetty and shall be liable to report any strangers, including foreigners, to the nearest Police Station.

10. Environmental Protection:

The licensee shall be responsible for the environmental protection and ensure that there will not be any discharge of oily wastes from any boats tied up alongside the jetty/pier/slipway.

11. Fish landing:

Fish landing will not be permitted at the jetties, authorised fish landing centres shall only be used by the jetties users.

12. Failure to observe conditions:

The licensee shall abide by all conditions stipulated above and failure to observe any of the conditions may entail cancellation of the licence.

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Secretary.